

ENGROSSED SENATE
CONCURRENT
RESOLUTION NO. 16

By: Easley of the Senate

and

Hamilton of the House

A Concurrent Resolution re-creating the Task Force on State Agency Legal Services, which was created by Enrolled Senate Bill No. 903 of the 2nd Session of the 44th Oklahoma Legislature.

WHEREAS, Enrolled Senate Bill No. 903 of the 2nd Session of the 44th Oklahoma Legislature became law on June 6, 1994; and

WHEREAS, the Task Force on State Agency Legal Services, which was created by Enrolled Senate Bill No. 903 of the 2nd Session of the 44th Oklahoma Legislature, terminated on January 3, 1995, pursuant to the provisions of Section 11b of Title 75 of the Oklahoma Statutes; and

WHEREAS, the Task Force desires to meet, conduct the study, and produce the report required by Enrolled Senate Bill No. 903 of the 2nd Session of the 44th Oklahoma Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 45TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT the Oklahoma State Legislature hereby re-creates the "Task Force on State Agency Legal Services" which shall be composed of the following fifteen (15) members:

1. Five members to be appointed by the President Pro Tempore of the Senate, who shall include:

- a. three members of the Senate with no more than two members of the three from one political party,
- b. an attorney appointed from a list prepared and submitted by the Oklahoma Bar Association consisting of the names of five attorneys who have substantial experience and knowledge of legal service needs of state agencies, and
- c. a person who is not an attorney;

2. Five members to be appointed by the Speaker of the House of Representatives, who shall include:

- a. three members of the House of Representatives with no more than two members of the three from one political party,
- b. an attorney appointed from a list prepared and submitted by the Oklahoma Bar Association consisting of the names of five attorneys who have substantial experience and knowledge of legal service needs of state agencies, and
- c. a person who is not an attorney;

3. Two members to be appointed by the Governor, who shall be administrative heads of agencies of this state, one of whom may be a person who is not an attorney but who has knowledge and experience in administrative law;

4. The Attorney General of the State of Oklahoma, or designee;

5. The Chief of the Criminal Division of the Office of Attorney General, or designee; and

6. The Chief of the Civil Division of the Office of Attorney General, or designee.

The members of the Task Force shall be appointed not later than July 1, 1995.

The President Pro Tempore of the Senate shall appoint the chair of the Task Force and the Speaker of the House of Representatives

shall appoint the vice-chair of the Task Force from their respective lists of membership appointments.

THAT the Task Force shall conduct a comprehensive study on the legal service needs of state officers and agencies or the administrative heads or governing entities thereof. The study shall include, but not be limited to:

1. A review of agencies which have specific statutory authorization to employ attorneys or contract for legal services;

2. A determination of the advisability of establishing an office of Solicitor General;

3. A determination of which types of legal services are general in nature and may be adequately addressed by a new executive department and which legal services may need specialized qualifications;

4. A determination of the advisability of establishing an administrative law judge unit which will serve all state agencies;

5. Development of a schedule of agencies for the transfer of legal services to a new executive department and cost of implementation; and

6. A review of such other information as deemed necessary by the Task Force.

THAT the Attorney General, or designee, shall assist the Task Force in initiating and organizing the study, reviewing information received by the Task Force, receiving input from agencies, and formulating recommendations and strategies for implementation by the state. The final report shall reflect and include the Attorney General's recommendations.

THAT staff assistance to the Task Force shall be provided by the Oklahoma State Senate and the Oklahoma House of Representatives.

THAT members of the Task Force shall serve without compensation, but legislative members of the Task Force shall be reimbursed for travel expenses incurred in the performance of their duties in

accordance with the provisions of Section 456 of Title 74 of the Oklahoma Statutes. Nonlegislative members of the Task Force who are not employees of this state shall be reimbursed by their respective appointing authority for travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes. Members of the Task Force who are employees of this state shall be reimbursed pursuant to the State Travel Reimbursement Act for travel expenses for any meetings or hearings of the Task Force not held in Oklahoma City.

THAT the Task Force shall prepare a written report on its findings and recommendations and shall submit the report to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Governor by January 1, 1997.

Adopted by the Senate the 17th day of April, 1995.

President of the Senate

Adopted by the House of Representatives the ____ day of _____, 1995.

Speaker of the House of Representatives